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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,998	09/27/2001	Sanaa F. Abdelhadi	AUS920010904US1	2722
7590	06/10/2004		EXAMINER	
Mr. Volel Emile P.O. Box 202170 Austin, TX 78720-2170				ZHEN, WEI Y
		ART UNIT		PAPER NUMBER
		2122		

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/964,998	ABDELHADI ET AL.
	Examiner	Art Unit
	Wei Y Zhen	2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 September 2001.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

1. This office action is in response to the application filed on 9/27/2001.
2. Claims 1-20 are pending.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 11, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Duggan et al, U.S. Patent No. 5,881,289.

As per claim 1, Duggan et al discloses

said computer systems running different system management software utilities having different command structures (col. 1 lines 35-40),

said method comprising the steps of: entering the command in a common interface (Fig. 2 and col. 4 lines 8-11)

said common interface translating said command into the different command structures (col. 4 line 60 to col. 5 line 20); dispatching each translated command to each of the computer systems, and executing the command on the computer systems (col. 4 line 60 to col. 5 line 20, note that when a compiler uses the commands to compile source code, these commands are inherently executed).

Claim 6 is rejected for the reason set forth in the rejection of claim 1.

Claim 11 is rejected for the reason set forth in the rejection of claim 1.

Claim 16 is rejected for the reason set forth in the rejection of claim 1.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5, 7-10, 12-15, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duggan et al, U.S. Patent No. 5,881,289 in view of Farber et al, U.S. Patent No. 5,903,760.

As per claim 2, Duggan et al does not explicitly discloses said command is executed concurrently.

However, Farber discloses commands can be executed concurrently (col. 5 line 60 to col. 6 line 2).

Therefore, it would have been obvious to one having ordinary skill in the art to incorporate the teaching of Farber into the teaching of Duggan et al to have command be executed concurrently because one would want to improve the execution time of the computer systems.

As per claim 3, Duggan et al does not explicitly said command includes a command to provide command execution progress status back to said common interface.

However, Farber discloses providing command execution progress status (col. 2 lines 24-26).

Therefore, it would have been obvious to one having ordinary skill in the art to incorporate the teaching of Farber into the teaching of Duggan et al to provide command execution progress status back to said common interface because one would want monitor the execution status of the command.

As per claim 4, Duggan et al disclose the command to be executed are entered in groups (Fig. 2 and col. 4 lines 8-11).

As per claim 5, Duggan et al does not explicitly disclose before the command is dispatched to the computer systems, the command interface pings the computer systems to ascertain their operability. However, Official Notice is taken that the command is dispatched to the computer systems, the command interface pings the computer systems to ascertain their operability was well known in the art at the time the invention was made. Therefore, it would have been obvious to one having ordinary skill in the art to incorporate the well known knowledge into the system of Duggan et al to have the command interface pings the computer systems to ascertain their operability before the command is dispatched to the computer systems because one would want to make sure the commands can be executed properly.

Claims 7-10 are rejected for the reason set forth in the rejections of claims 2-5.

Claims 12-15 are rejected for the reason set forth in the rejections of claims 2-5.

Claims 17-20 are rejected for the reason set forth in the rejections of claims 2-5.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wei Y Zhen whose telephone number is (703) 305-0437. The examiner can normally be reached on Monday-Friday, 8 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Wei Zhen  
Primary Examiner  
6/3/2004